

(OFFICIAL PUBLICATION)
CITY OF EDINA
4801 WEST 50TH STREET
EDINA, MN 55424

Notice of Public Hearing

THE EDINA HOUSING AND REDEVELOPMENT AUTHORITY ("HRA") will meet at the Edina City Hall, Council Chambers, 4801 West 50th Street, on September 17, 2013, at 8:00 PM, or as soon thereafter as is practicable, and will at said time and place consider the following:

Eminent Domain Acquisition. The HRA will consider a resolution to acquire the property located at 3944 West 49 ½ Street (the former Hooten Cleaners property), as further described in the proposed resolution below. The HRA will also consider use of the "quick take" procedure set forth in Minn. Stat. Sec. 117.042 in connection with the eminent domain proceeding.

PROPOSED RESOLUTION:

RESOLUTION

WHEREAS, the Housing and Redevelopment Authority of Edina, Minnesota (the "HRA"), owns and operates an off-street parking facility known as the North Parking Ramp at 3936-3940 West 49-1/2 Street ("North Parking Ramp") to provide public parking in the 50th and France business district;

WHEREAS, the City of Edina ("City") and the HRA have studied the parking availability for the 50th and France business district and have determined that additional public parking is needed to support the continued success of this district;

WHEREAS, the HRA has determined that expansion of the North Parking Ramp is necessary to provide additional public parking;

WHEREAS, the HRA has determined that acquisition of a fee simple interest in the single story building located at 3944 West 49-1/2 Street, immediately west of the North Parking Ramp, is necessary to expand the North Parking Ramp to provide additional public parking;

WHEREAS, the business owners have closed the business formerly operated at 3944 West 49-1/2 Street;

WHEREAS, the City owns and operates a municipal liquor store at 3943 West 50th Street and has further determined that it may be necessary in the future to relocate said liquor store to a new location within the 50th and France business district;

WHEREAS, a portion of the property at 3944 West 49-1/2 Street could be used to relocate the municipal liquor store currently located at 3943 West 50th Street, while

still using the remainder of the 3944 West 49-1/2 Street site for expansion of the North Parking Ramp;

WHEREAS the City and HRA have been negotiating with the owners of 3944 West 49-1/2 Street property to acquire a fee simple interest in said property and to date have not entered into an agreement to acquire said property;

WHEREAS, in order to construct the expansion of the North Parking Ramp and to have a site available for the possible relocation of the Edina municipal liquor store currently located at 3943 West 50th Street, it will be necessary to procure the 3944 West 49-1/2 Street property through the right of eminent domain; and

WHEREAS, the construction of the expansion of the North Parking Ramp makes it necessary for the City and HRA to acquire the 3944 West 49-1/2 Street property as soon as possible, and no later than April 1, 2014, and in order to construct such improvements on a timely basis it will be necessary to procure the required property interest through a "quick take" condemnation action, pursuant to Minnesota Statutes, Section 117.042;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HRA, that in order to expand the North Parking Ramp and obtain a site for the possible relocation of the municipal liquor store, the HRA proceed to acquire the required fee simple interest in the property located at 3944 West 49-1/2 Street under its power of eminent domain and pursuant to Minnesota Statutes, Section 117.042, having first fulfilled the requirements of Minnesota Statutes, Section 117.036 and all other necessary requirements for the exercise of eminent domain power; and that the attorneys for the HRA be instructed and directed to advise and assist the HRA with regard to fulfilling any necessary legal conditions for the initiation of an eminent domain action, and to file the necessary petition or petitions therefore and to prosecute such action or actions to a successful conclusion, or until it is abandoned, dismissed or terminated by the HRA or the Court; and that the attorneys for the HRA and the Commissioners, employees and agents of the HRA do all things necessary to be done in the commencement, prosecution and successful termination of such eminent domain proceedings;

BE IT FURTHER RESOLVED, that it is hereby found and declared that the acquisition of a fee simple interest in the property located at 3944 West 49-1/2 Street by the HRA under its power of eminent domain is necessary to expand the North Parking Ramp and to obtain a site for possible relocation of the municipal liquor store.

All recommendations and objections will be hearing at said meeting.

BY ORDER OF THE EDINA HOUSING AND REDEVELOPMENT AUTHORITY

**Scott Neal
Executive Director**